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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Ilsa A.H., as next friend for A.H., a minor, and )	Case No.: 3:17-cv-03615
on her own behalf, )	
Petitioner/Plaintiff, )	
vs. )	
Jefferson B. Sessions III, U.S. Attorney )	Declaration Daniel Loechner
General, et al., )	
Respondents/Defendants. )	

**DECLARATION OF DANIEL LOECHNER**

1 I, Daniel Loechner, hereby make the following declaration with respect to the above-  
2 captioned matter:

3 1. I am the Group Supervisor for Analytics for the Special Agent in Charge, New York  
4 City, within the Office of Homeland Security Investigations (HSI), U.S. Immigration and  
5 Customs Enforcement (ICE), Department of Homeland Security (DHS). I have been an analyst  
6 for over fifteen years, encompassing time on active duty in the military as well as time serving as  
7 a civilian in the Department of Defense and DHS. In my current position, one of my duties is  
8 developing leads on the MS-13 gang on Long Island, New York. This multi-source data is  
9 developed to aid law enforcement operations designed to counter the MS-13 gang problem on  
10 Long Island, New York.  
11

12 2. As part of my duties as an HSI analyst, I received information from local law  
13 enforcement agencies concerning admitted MS-13 gang members on Long Island. One of the  
14 individuals identified was A.H. According to records provided by local law enforcement, in  
15 May 2016, A.H. was arrested by the Amityville, NY Police Department for menacing and  
16 possession of a weapon. The incident occurred on high school property where A.H. allegedly  
17 threatened a student with a knife. When A.H. was booked into custody, the police found a knife  
18 on his person.  
19

20 3. According to records provided by local law enforcement, in March 2017, A.H. was  
21 arrested by the local police for possession of marijuana. A.H. was arrested with two other  
22 individuals, who both admitted to being members of the MS-13 gang. During the booking  
23 process, A.H. admitted that he was a member of MS-13. When arrested, A.H. was wearing gang  
24 colors and beads associated with gang membership.  
25  
26

1           4. Based on the fact that A.H. had previously admitted to local law enforcement to being  
2 a member of MS-13, coupled with the fact that records show he was arrested with known gang  
3 members, wore gang colors, wore beads indicative of gang membership, and had been arrested  
4 for a crime involving a weapon, we concurred with local law enforcement that he was a member  
5 of MS-13 and concluded that A.H. was a danger to the community based on his reported gang  
6 ties and arrest history.

7           5. ICE subsequently verified that A.H. was a removable alien. On June 12, 2017, an  
8 immigration arrest warrant was issued for A.H. A redacted copy of the warrant of arrest is  
9 attached hereto. The warrant was based on probable cause that ongoing removal proceedings  
10 were pending. HSI executed the warrant and arrested A.H. on June 12, 2017. ICE's field office  
11 juvenile coordinator arranged for transfer of custody to U.S. Health and Human Services  
12 ("HHS"). A.H. was then turned over to HHS on June 13, 2017.

13           Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true  
14 and correct.  
15

16  
17 Executed on this 27 day of June 2017.

18  
19 

20 Daniel Loechner  
21 Group Supervisor  
22 Office of Homeland Security Investigations  
23 U.S. Immigration and Customs Enforcement  
24  
25  
26

## U.S. DEPARTMENT OF HOMELAND SECURITY

## Warrant for Arrest of Alien

File No. [REDACTED]

Date: 06/12/2017

**To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations**

I have determined that there is probable cause to believe that H [REDACTED], A [REDACTED] is removable from the United States. This determination is based upon:

- ☐ the execution of a charging document to initiate removal proceedings against the subject;
- ☒ the pendency of ongoing removal proceedings against the subject;
- ☐ the failure to establish admissibility subsequent to deferred inspection;
- ☐ biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- ☐ statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

**YOU ARE COMMANDED** to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien. [REDACTED]

(Signature of Authorized Immigration Officer)

(Printed Name and Title of Authorized Immigration Officer)

## Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at Central Islip, New York  
(Location)

on H [REDACTED], A [REDACTED] on June 12, 2017, and the contents of this  
(Name of Alien) (Date of Service)

notice were read to him or her in the SPANISH language.  
(Language)

[REDACTED]  
Special Agent

Name and Signature of Officer

[REDACTED]  
Name or Number of Interpreter (if applicable)